

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of May 22, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

In the Office Action, Claims 1-3, 5-11, 13-19, and 21-24 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 7,117,152 to Mukherji, *et al.* (hereinafter Mukherji). Claims 4, 12, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mukherji.

### **Amendments to the Claims**

Although Applicants respectfully disagree with the rejections asserted in the Office Action based on the cited references, Applicants have nonetheless amended the claims so as to expedite prosecution by further emphasizing certain aspects in the claims. Applicants respectfully assert, however, that the amendments should not be interpreted as the surrender of any subject matter. Applicants are not conceding by these amendments that any previously submitted claims are not patentable over the references of record. Applicants' present claim amendments are only submitted for purposes of facilitating expeditious prosecution of the present Application. Accordingly, Applicants reserve the right to pursue any previously submitted claims in one or more continuation and/or divisional patent applications.

In this response, Applicants have amended the claims to emphasize certain aspects of the claims. In particular, Claims 1, 9, and 17 have been amended to substantially include the limitations of claims 4, 12, and 20, respectively. Claims 4, 12, and 20 have been cancelled. Furthermore, Claims 3, 5, 11, 13, 18, 19, and 21-24 have been amended to maintain consistency among the claims. Additionally, new Claims 23-25 are presented in this amendment. The amendments and new claims are fully supported in the

Specification. (See, e.g., para. [0019] and [0026].) No new subject matter has been introduced by these amendments.

### *Aspects of the Claims*

Prior to discussing the cited references, it may be useful to discuss certain aspects of the claims. The claims, as typified by Claim 1, recite methods and systems for providing textual translations of speech within a voice stream. The method can include the steps of receiving a speech signal in a first language and determining the textual representation of the speech signal. The method can also include translating the text to a second and different language. The method also includes identifying inaudible portions of the speech signal from a voice stream and embedding the translated text into these identified portions of the voice stream.

### *The Claims Define Over the Cited References*

As previously noted, Claims 1, 9, and 17 have been amended to substantially include the limitations of Claims 4, 12, and 20, respectively. In the Office Action, Claims 4, 12, and 20 were rejected as being unpatentable over Mukherji. Mukherji discloses a system and method for speech-recognition-assisted voice communications using packet communications. Applicants respectfully submit, however, that Claims 1, 9, and 17, as amended, define over the cited references.

In particular, Mukherji fails to disclose the step of embedding translated text in the voice stream portions previously occupied by inaudible portions of the speech signal. According to the Office Action, Mukherji discloses combining text and speech streams together and that it would be inherent that the text would be embedded in the speech stream in place of the inaudible portion of the speech signal. Applicants respectfully disagree. Although Mukherji explicitly discloses that voice and text streams can be

"piggybacked" and combined into a single packet, this single packet is not equivalent to the stream recited in Claims 1, 9, and 17, as amended.

Mukherji explicitly discloses creating separate voice and text data streams. (See Col. 5, Lines 10-28.) As one of ordinary skill in the art would recognize, combining data from multiple data streams into single packets is typically performed using a statistical multiplexing technique. That is, the bandwidth for the IP packet is divided among the various data streams according to each stream's requirements, and thus separate portions of the packet are reserved for each separate data stream. Although a voice stream can be compressed with a perceptual codec to reduce the amount of bandwidth required for the voice stream, Mukherji inherently requires that the packets include multiple streams of voice and text data. Thus, it would not be inherent to replace inaudible portions of a voice stream with text data, as the packet delivery method used in Mukherji always reserves portions of the packet specifically for voice and text streams portion. Therefore, according to Mukherji, two steady and separate streams of data would always be transmitted and received. Nowhere does Mukherji disclose or suggest that only a single stream is produced prior to packetization that combines the voice and text components.

In contrast, the claims recite the limitation that the voice stream is analyzed and text data is embedded within a single uncompressed voice stream, in portions that would normally be used to deliver inaudible portions of speech. Thus, the original voice stream is not compressed to generate a voice stream without the inaudible portions. Instead, the perceptual codec is used to analyze the voice stream and identify portions of the voice stream which can be modified prior to packetization to include data representing the translated text. Therefore, the full bandwidth of the packet can be used to deliver the voice signal and translated text without having to compress the voice stream to make room for a separate text data stream in a packet.

Accordingly, Mukherji, alone or in combination with any other reference of record, fails to teach or suggest every limitation of independent Claims 1, 9, and 17, as

amended. Therefore, Applicants respectfully submit that the independent claims define over the references of record. Furthermore, whereas each of the remaining claims depends from Claim 1, 9, or 17 while reciting additional features, the remaining dependent claims likewise define over the references of record.

### CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Date: August 22, 2007



Gregory A. Nelson, Registration No. 30,577  
Richard A. Hinson, Registration No. 47,652  
Eduardo Quinones, Registration No. 58,575  
Customer No. 40987  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
Telephone: (561) 653-5000